

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

COUNTY OF LEON	§
	§
Plaintiff,	§
	§
v.	§ Case No. 4:18-cv-04709
	§
PURDUE PHARMA L.P., et al.	§
	§
Defendants.	§

NOTICE OF DECISION

Pending before the Court is Plaintiffs' Joint Motion to Remand, filed on December 18, 2018. Defendants Purdue Pharma L.P., Purdue Pharma Inc., and The Purdue Frederick Company (collectively, "Purdue") file this Notice of Decision to inform the Court of three recent rulings on nearly identical motions to remand filed in similar cases in the Southern District of Texas.

In *County of Blanco v. Purdue Pharma L.P., et al.*, Case No. 4:18-cv-04705, Judge Alfred Bennett denied Plaintiffs' Joint Motion to Remand on January 30, 2019. (Order attached as Exhibit A.)

In *County of Hardin v. Endo Health Solutions, Inc., et al.*, Case No. 4:19-cv-0114, Judge Kenneth Hoyt denied Plaintiff's Motion to Remand on February 12, 2019, and stayed the case pending transfer to MDL No. 2804. (Order attached as Exhibit B.)

In both the *Hardin* and *Blanco* cases, Plaintiffs argued as they do in this case that the court did not have diversity jurisdiction because they contended that a trustee in the Purdue Pharma L.P. chain of ownership was a citizen of Texas. In response, Defendants submitted the

same documentary evidence, which showed that the trustee had changed his citizenship from Texas to Florida before the cases were filed.

In *County of Jasper v. Purdue Pharma L.P., et al.*, Case No. 4:18-cv-04706, Judge Rosenthal addressed another nearly identical motion to remand in another opioid case brought by a Texas county. On February 6, 2019, Judge Rosenthal declined to rule on the remand issue and stayed the case pending transfer to the Federal Opioid MDL proceeding currently in the Northern District of Ohio in the matter captioned *In re: National Prescription Opiate Litigation*, MDL Case No. 2804. Judge Rosenthal found that “[h]aving [the remand] issue decided after transfer avoids duplicative discovery and inconsistent pretrial rulings on the citizenship of Purdue Pharma’s trustees” because “[t]he issues involved in the remand motion may also arise in other cases subject to MDL transfer, in which the citizenship of Purdue Pharma’s trustees is essential to subject-matter jurisdiction.” (Order attached as Exhibit C.)

Dated: February 14, 2019

Respectfully submitted,

/s/ Noelle M. Reed
Noelle M. Reed
Federal Bar No. 27139
State Bar No. 24044211
noelle.reed@skadden.com
SKADDEN, ARPS, SLATE, MEAGHER
& FLOM LLP
1000 Louisiana Street, Suite 6800
Houston, Texas 77002
Tel: (713) 655-5122
Fax: (713) 483-9122

***Purdue Pharma L.P.; Purdue Pharma Inc.;
and The Purdue Frederick Company***

CERTIFICATE OF SERVICE

I hereby certify that on February 14, 2019, the forgoing document was transmitted to the Clerk of the Court using the ECF System for filing. Based on the records currently on file, the Clerk of the Court will transmit a Notice of Electronic Filing for this filing to all registered counsel of record.

/s/ Noelle M. Reed _____

Noelle M. Reed